

PROPOSAL PACKAGE

**For Ferry Service
at Statue of Liberty National Monument and Ellis Island**

CC-STLI001-07

Department of the Interior

National Park Service

PROPOSAL SUBMISSION TERMS & CONDITIONS

- 1) The Offeror's Transmittal Letter set forth below indicates your acceptance of the terms and conditions of the concession opportunity as set forth in this Prospectus. It indicates your intention to comply with the terms and conditions of the Contract. The letter must bear original signatures and be included in the Offeror's response package. The Service will review the entire Proposal Package to determine whether your proposal in fact accepts without condition the terms and conditions of this Prospectus. If not, your proposal may be considered non-responsive, even though you submitted an unconditional Offeror's Transmittal Letter.
- 2) The Proposal Package is drafted upon the assumption that an Offeror is the same legal entity that will execute the new concession contract as the Concessioner. If the entity that is to be the Concessioner is not formally in existence as of the time of submission of a proposal, a proposal must demonstrate that the individuals or organizations that intend to establish the entity that will become the Concessioner have the ability and are legally obliged to cause the entity to be financially and managerially capable of carrying out the terms of the contract. In addition, the Offeror must unconditionally state and guarantee in its proposal that the Offeror will provide the Concessioner with all funding, management and/or other resources that the proposal offers.

To: Regional Director
Northeast Region
National Park Service
200 Chestnut Street
Philadelphia, PA 19106

Dear Regional Director:

The Offeror hereby agrees to provide visitor services at Statue of Liberty National Monument and Ellis Island in accordance with the terms and conditions specified in the Concession Contract No. STLI001-07, provided in the Prospectus issued by the public notice as listed on www.fedbizopps.gov and to execute the draft concession contract without substantive modification (except as may be required by the National Park Service pursuant to the terms of the Prospectus).

The Offeror is enclosing the required "PROPOSAL" which, by this reference, is made a part hereof.

The Offeror certifies that the information furnished herewith is complete, true, and correct, and recognizes that false statements may subject the Offeror to criminal penalties of 18 U.S.C. 1001.

The Offeror agrees to meet all the minimum requirements of the draft concession contract, and the Prospectus, and that the Offeror has provided all of the mandatory information specified in the Prospectus.

The Offeror certifies in accordance with 43 CFR Part 42 the following:

- Any of the individuals or entities seeking participation in this Concession Contract are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from a public transaction by a federal department or agency.
- Within the three years preceding submission of the Proposal, none of the individuals or entities seeking participation in this Concession Contract have been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state or local) transaction or contract under a public transaction, or for violation of federal or state antitrust statutes or for commission of embezzlement, theft, forgery, bribery, falsification of records, making false statements, or receiving stolen property.

- None of the individuals or entities seeking participation in this Concession Contract are presently indicted for or otherwise criminally or civilly charged by a federal, state or local unit of the government with commission of any of the offenses.
- The individuals or entities seeking participation in this Concession Contract have not had one or more public transactions (federal, state or local) terminated for cause or default within the three-year period preceding the submission of the Proposal.

The Offeror, by submitting this Proposal hereby agrees, if selected for award of the new concession contract:

1. To the minimum requirements of the Prospectus as identified in Part A of this Proposal Package.
2. To complete the execution of the final Concession Contract within thirty working days after it is presented by the National Park Service.
3. To commence operations under the new concession contract on the effective date of the new concession contract.
4. To operate under the NPS-approved rates for services provided to visitors.
5. To acquire the Personal Property of the existing Concessioner under the terms of the existing concession contract.
6. To resolve any dispute regarding the value of the property of the existing Concessioner in accordance with the terms of the existing concession contract and to allow the Service to participate in the Personal Property value determination in the same manner and to the same extent as provided for with respect to Possessory Interest value determinations as described in 36 CFR Part 51 Subpart H.
7. [Include only if the Offeror is not to be the Concessioner under the draft concession contract.] To provide the entity that is to be the Concessioner under the draft concession contract with the funding, management and other resources described in our proposal.

BY _____ DATE _____
(Type or Print Name)

ORIGINAL SIGNATURE _____

TITLE _____

ADDRESS _____

CERTIFICATE OF CORPORATE OFFEROR

(Offerors who are not corporations should skip this certificate)

I, _____, certify that I am the _____ of the corporation named as Offeror herein; that _____, who signed this proposal on behalf of the Offeror, was then _____ of said corporation; that said proposal was duly signed for and in behalf of the corporation by authority of its governing body within the scope of its corporate powers.

BY: _____ DATE _____
(Type or print name and date)

Original Signature

TITLE _____

ADDRESS _____

CERTIFICATE OF Limited Liability CORPORATION (LLC) OFFEROR

(Offerors who are not LLCs should skip this certificate)

I, _____, certify that I am the _____ of the LLC named as Offeror herein; that _____, ho signed this proposal on behalf of the Offeror, was then of said corporation; that said proposal was duly signed for and in behalf of the LLC by authority of its governing body within the scope of its corporate powers.

BY: _____ DATE _____

(Type or print name and date)

Original Signature

TITLE _____

ADDRESS _____

PART A

The minimum requirements for the draft concession contract are identified in this Part A of the Proposal Package. If the Offeror, in its transmittal letter, does not agree to these minimum requirements, the proposal will be considered non-responsive. A copy of Part A must be included in the Offeror's response package. (The requirements of Part B of this Proposal Package outline detailed subfactor submissions referenced in this part, as well as additional secondary selection factors.)

PRINCIPAL SELECTION FACTOR 1. THE RESPONSIVENESS OF THE PROPOSAL TO THE OBJECTIVES, AS DESCRIBED IN THE PROSPECTUS, OF PROTECTING, CONSERVING, AND PRESERVING RESOURCES OF THE PARK AREA.

The Offeror agrees to comply with all terms and conditions in the contract, including compliance with all Applicable Laws, including, without limitation, environmental protection and conservation laws, under the terms and conditions specified in the draft concession contract.

PRINCIPAL SELECTION FACTOR 2. THE RESPONSIVENESS OF THE PROPOSAL TO THE OBJECTIVES, AS DESCRIBED IN THE PROSPECTUS, OF PROVIDING NECESSARY AND APPROPRIATE VISITOR SERVICES AT REASONABLE RATES.

The Offeror agrees to comply with all the terms and conditions specified in the Concession Contract, including its exhibits.

The Offeror agrees to operate at the NPS-approved rates during the term of the Concession Contract until such time as a new rate schedule is approved as outlined in the draft concession contract. Approved rates upon contract effective date are \$12.00 Adult, \$10.00 Senior, and \$5.00 Child.

The Offeror agrees to accept the Concession Facilities and any assigned government personal property "as is," as required by the draft concession contract, Section 8(f).

The Offeror agrees to embark from the points specified and/or approved by NPS.

The Offeror accepts the draft Operating Plan included as Exhibit A of the Draft Contract.

The Offeror accepts the draft Maintenance Plan included as Exhibit E of the Draft Contract.

The Offeror agrees to implement an equal opportunity program and comply with the terms of the equal opportunity and handicapped access requirements of the Draft Contract.

The Offeror agrees to comply with all Applicable Laws regarding wages, including, without limitation, the terms of the Service Contract Act.

The Offeror agrees to develop and implement an effective documented Risk Management Program, prior to the first scheduled passenger carrying trip and in accordance with the requirements of the Draft Contract, particularly its draft Operating Plan, Exhibit A.

The Offeror agrees to meet the public liability and property insurance requirements of the draft concession contract Exhibit F and agrees to provide property and liability insurance of at least the types and levels of coverage described in the draft concession contract.

Principal Selection Factors 3 and 4 do not have minimum requirements for Part A.

PRINCIPAL SELECTION FACTOR 5. THE AMOUNT OF THE PROPOSED MINIMUM FRANCHISE FEE, IF ANY, AND/OR OTHER FORMS OF FINANCIAL CONSIDERATION TO THE DIRECTOR.

The Offeror agrees to at least the minimum Franchise Fee of **18.0 percent** of annual gross receipts.

PART B

PRINCIPAL SELECTION FACTOR 1. *THE RESPONSIVENESS OF THE PROPOSAL TO THE OBJECTIVES, AS DESCRIBED IN THE PROSPECTUS, OF PROTECTING, CONSERVING, AND PRESERVING RESOURCES OF THE PARK AREA.* (0-5 Points)

Subfactor 1a: Natural Resources

One NPS objective is to protect, preserve and maintain the natural resources of the Statue of Liberty National Monument and Ellis Island within the Park's surrounding ecosystem. Specifically, the NPS would like the concession operations described in this Prospectus to protect the water quality, air quality, soundscape and other natural resources of the Park and New York Harbor. While Applicable Laws ensure some measure of protection, the NPS is interested in knowing how your proposed operation will be managed to meet the objective.

- 1) Describe what standards, methods and practices you will apply to protect and mitigate any unavoidable impact on the water quality, air quality, soundscape and other natural resources of the Park and New York Harbor while providing the required and authorized services.
- 2) When addressing water quality, describe how you will eliminate or minimize waste, spills and releases of, or pollution from, petroleum products, wastewater and other hazardous and solid wastes that will be used or generated by your proposed operations. Specifically address vessel fuel, sewage management and waste stream management at all passenger embarkation and other docking facilities both within and outside the Park.
- 3) Describe how you propose to update, retrofit, and/or modify the vessels used in the operation throughout the term of the contract to ensure that best management and other practices are implemented to protect natural resources and mitigate the impacts of your operation. Describe the monitoring system(s) you will use to determine when any such updates, retrofits, and/or modifications are appropriate and how you will schedule the updates, retrofits, and/or modifications to avoid disruption of services.
- 4) If you propose to add or replace vessels during the term of the contract to meet the requirements of the contract, describe how you will ensure that the new vessels meet the highest environmental standards for protecting the water quality, air quality, soundscape and other natural resources of the Park and New York Harbor.
- 5) Describe how you will inform and educate Park visitors about the Park to build support and advocacy for protection of natural resources in a manner that will complement, be consistent with, and enhance NPS interpretive efforts.

Subfactor 1b: Historic and Cultural Resources

Another NPS objective is to protect, preserve and maintain the historic and cultural resources of the Statue of Liberty National Monument and Ellis Island. One method to accomplish this objective is to inform and educate Park visitors by interpreting historic and cultural resources.

Describe how you will inform and educate Park visitors to build support and advocacy for protection of the Park's historic and cultural resources in a manner that will complement, be consistent with, and enhance NPS interpretive efforts. In particular, describe:

- 1) The interpretive messages and programs you propose on primary ferry vessels for Park visitors who will disembark and experience the historic and cultural resources on Liberty and Ellis Islands.
- 2) Additional interpretive messages and programs you propose on Island Cruise vessels for Park visitors who will experience Park historic and cultural resources from off-shore.
- 3) Other opportunities you will use to inform and educate Park visitors about Park historic and cultural resources such as providing information and signage at ticket windows, embarkation points, web sites, and other points of contact with Park visitors.
- 4) How you will work with Park staff to develop your interpretive messages and programs to complement, be consistent with, and enhance NPS interpretive efforts.
- 5) The employee training you propose to help accomplish this objective.

PRINCIPAL SELECTION FACTOR 2. *THE RESPONSIVENESS OF THE PROPOSAL TO THE OBJECTIVES, AS DESCRIBED IN THE PROSPECTUS, OF PROVIDING NECESSARY AND APPROPRIATE VISITOR SERVICES AT REASONABLE RATES.*

(0-5 Points)

For this selection factor, the Park's objective is a high quality visitor experience in all of the Concessioner's operations identified in the Draft Contract. The Concessioner's operations affect every visitor to the Statue of Liberty and Ellis Island. The NPS strives to make tickets available to the fully diverse range of potential visitors and desires that the Concessioner will effectively manage and transport visitors within the available time and space constraints. On many peak summer weekend days, 14,000 park visitors may board ferries from Battery Park in Manhattan, and over 3,000 from Liberty State Park in New Jersey. Though many factors influence this objective, the Service's focus is on the following areas:

- Reservations and Ticketing
- Marketing and Departure Distribution
- Customer Service and Visitor Experience

Subfactor 2a: Reservations and Ticketing

Managing a high volume of visitors requires an efficient reservation and ticketing system. NPS wants the majority of tickets for each boat to be for specific boarding time frames and purchased in advance; however, NPS also wants some number of tickets to be available for sale to walk-up visitors. In addition, NPS plans to continue to offer free monument tour passes in combination with ferry tickets.

Describe the reservation and ticketing system you intend to use for this operation including the following:

- 1) The methods of ticket sales and distribution (possibilities include Internet sales, printing tickets from home, purchasing and/or retrieving pre-purchased tickets from automated kiosks, will-call windows, in-person sales at a ticket kiosk, telephone sales).
- 2) The design of the Internet site including languages, security features, and ease of use. Provide printed, mock-up "screen shots" of the proposed site and ticket design.
- 3) How you will track and manage ticket inventories (including how you would determine the number of advance tickets sold for each departure time and allow for a reasonable number of walk-up sales). You must account for the current security screening capacity of approximately 700 passengers per boat and coordinating ferry ticket sales with the distribution of a limited number of free monument tour passes each day.

- 4) Support activities (including how you would staff an office to provide telephone support for domestic and international callers, and details about any other types of support you would implement).
- 5) How you will continually evaluate the reservation and ticketing system (including the types of reports you would provide to NPS, strategies for better understanding visitor trends, auditing and preventing ticket scalping, and the types of visitor and NPS feedback you would seek to make changes to the system as necessary).
- 6) How the system will contribute to the reduction of wait times for visitors at the embarkation point(s).
- 7) Given that there is no system in place that accomplishes the Service's objectives, what is your proposed schedule for implementation of this system with key dates identified in order to accomplish the various features of the reservation and ticketing system.

If you have experience providing these types of services, please describe such experience and include a critical analysis of what made the efforts successful and how you could have improved the efforts.

Subfactor 2b: Marketing and Visitor Departure Distribution

The NPS wants the Concessioner to explore ways to better distribute park visitation throughout the year, by, for example, encouraging visitation during off peak hours and days, from underutilized embarkation facilities, and from untapped markets (such as local residents in the metropolitan area).

Please describe your proposed strategy and implementation plan including a description of the size and scope of operation that you will use to enhance the ferry services under this concession contract. At a minimum, specifically address how you would:

- 1) Effectively and efficiently use both embarkation locations
- 2) Alleviate long wait times
- 3) Target local (New York and New Jersey) residential markets
- 4) Encourage visitation during off-peak times and seasons
- 5) Employ marketing strategies to increase overall visitation taking into account seasonal visitation trends
- 6) Develop promotional opportunities and outreach programs for targeted visitors and groups

If you have experience providing these types of services, please describe such experience and include a critical analysis of what made the efforts successful and how you could have improved the efforts.

Subfactor 2c: Visitor Experience

The Service invites proposals that will enhance the entire visitor experience—from trip planning with the Concessioner and the initial contact all the way through the completion of the visit to the Park. For the following questions address at a minimum five phases of the visitor's experience for the ferry service and Island Cruises identified below:

- Trip planning
 - Ticket purchasing
 - Pre-boarding and waiting periods
 - Time on board the vessel, and
 - Conclusion at the debarkation point
- 1) Describe the efforts you will provide, including interpretive programs to increase the visitor's knowledge of the Park. Describe how you would adapt such efforts during peak and off peak operating seasons and during inclement weather.
 - 2) Describe how you will provide a quality visitor experience to all visitors regardless of cultural background or language spoken, age, and disabilities
 - 3) Describe how you would monitor the success of these efforts through visitor feedback and other measures.
 - 4) Describe how you will provide a quality visitor experience through customer service including, but not limited to:
 - Courtesy, appearance, and professionalism of employees;
 - Resolution of complaints and timely responses to questions, etc.
 - Web site and other sources of information

If you have experience providing these types of services, please describe such experience and include a critical analysis of what made the efforts successful and how you could have improved the efforts.

PRINCIPAL SELECTION FACTOR 3. THE EXPERIENCE AND RELATED BACKGROUND OF THE OFFEROR IN PROVIDING THE SAME OR SIMILAR VISITOR SERVICES AS THOSE TO BE PROVIDED UNDER THE CONCESSION CONTRACT.

(0-5 Points)

To assist in the evaluation of proposals under this and other selection factors, please provide the following information regarding your organizational structure. This information will not be scored for selection purposes, but may be used for assessing your response to the various selection factors.

Offeror's Organizational Structure. Describe the entity with which the National Park Service will contract. Clearly define the Offeror's relationship to all superior and/or subordinate entities. Identify the entity, if one exists, that has the authority to allocate funds, hire, and fire management employees of the business entity that will hold the contract with the National Park Service. If this entity is a public corporation with a Board of Directors, provide information about the makeup and selection of the Board. Identify a majority shareholder or shareholder with controlling interest, if either exists. If the entity is a Limited Liability Company or Partnership, identify and provide information about each member or partner.

Using the Business Organization Form located in the Proposal Package form section, identify the Offeror and each business organization, operator, and any parties involved in the management of the proposed concession operation. Use the form appropriate for your organization (Partnership, Sole Proprietorship, Corporation, or Limited Liability Company) and include all information necessary to make the relationships among parties clear. When completed, the Business Organization and Credit Information form should convey the following information:

- 1) Identify the Offeror formally.
- 2) Explain the legal form and formal structure of the Offeror.
- 3) Identify and describe the owners of the Offeror, including, without limitation, all levels of parent organizations, their relationship to the Offeror, and the precise extent of their ownership interest.
- 4) Identify all related, subordinate, or superior business organizations and any other organizations, contractors, or subcontractors that will have a significant role in managing, directing, operating, or otherwise carrying out the services to be provided by the Offeror. Describe in detail how these relationships will work formally and in practice.
- 5) Identify how long the Offeror has existed as a legal entity.
- 6) Submit your organization documents (e.g., partnership agreement, articles of incorporation, bylaws, etc.).

**BUSINESS ORGANIZATION
PARTNERSHIP OR SOLE PROPRIETOR
(PRINCIPAL SELECTION FACTOR 3)**

Name of Entity	
Address	
Telephone Number	
Fax Number	
Email Address	
Contact Person	
Title	
Tax ID #	
Form of Business: <input type="checkbox"/> Partnership <input type="checkbox"/> Sole Proprietor <input type="checkbox"/> Other (please describe) _____	
Years in Business	

OWNERSHIP			
Names And Addresses Of Each Partner Or Sole Proprietor	Percentage of Ownership	Current Value of Business	Role in Providing Concession Services

**BUSINESS ORGANIZATION
CORPORATION
(PRINCIPAL SELECTION FACTOR 3)**

Complete separate form for the submitting corporation and the parent corporation (include all partners in a joint venture).

Name of Entity	
Address	
Telephone Number	
Fax Number	
Email Address	
Contact Person	
Title	
Tax ID#	
State of Incorporation	
Date of Incorporation	

OWNERSHIP	NUMBER AND TYPE OF SHARES OR PERCENTAGE OF OWNERSHIP	CURRENT VALUE OF INVESTMENT
Names and Addresses of those with controlling interest or key principals of corporation		
Total of All		
Total Shares Outstanding		

CORPORATE OFFICERS AND BOARD OF DIRECTOR	ADDRESS	TITLE AND/OR AFFILIATION

Subfactor 3a: Organizational Structure

Demonstrate that your organization is structured and staffed to effectively carry out the responsibilities of the Draft Contract by providing the following information:

Clearly outline the organizational structure you will use to manage and execute the services contemplated under the new contract. To the extent that support services such as purchasing or human resources will be provided by a corporate parent, clearly identify how this support will benefit the operation. Provide the principal lines of authority between departments and managers.

Describe the qualifications of the person you will employ for each of the following positions. Include relevant experience, minimum qualifications, certifications (if applicable), and education in a consistent format.

- Corporate officer(s)/executives with responsibility for directly supervising the general manager or any other member of the management team for this contract;
- General Management Team;
- Departmental and/or area managers including, but not limited to for the following departments: ferry operations, vessel maintenance, ticketing and reservations, physical security specialist, and food and beverage/merchandise sales.
- Environmental manager.

In addition, provide workforce estimates in Full Time Equivalents (FTE) for each operating department (i.e., reservations, ferry and cruise operations, retail sales) during the high season (summer) and the rest of the year.

Subfactor 3b: Experience Managing Ferry Operations

Describe your experience managing ferry or other marine passenger transportation operations particularly your experience with high demand, high passenger volumes and similar scope of services to those offered under the Draft Contract. Your examples should include the following:

- 1) Name and location of operation
- 2) Scope of services offered and description of routes
- 3) Operating season information and seasonal adjustments you made, including any changes to operations during non-peak seasons and/or hours
- 4) Size of operation
 - Number of vessels and passenger capacities
 - Gross revenues for the most recent three years of operation in which the Offeror was involved with the business
 - Service volume (e.g., number of passengers, number of daily departures)

- 5) Nature of the Offeror's involvement
- 6) Tenure of the Offeror's involvement
- 7) Current status of business (e.g., owned and operated by Offeror, sold, open but no longer operated by Offeror, closed, etc.)
- 8) Number of employees; full-time employees, part-time employees, and seasonal employees; segregated by peak and off-peak seasons

Subfactor 3c: Human Resources

A high quality, customer service-oriented, skilled, and motivated employee staff is a critical component of meeting visitor needs at the Park. With this in mind:

Demonstrate your ability to hire and maintain a high quality work-force. The NPS believes that high-quality, skilled, motivated employees are an essential component of the delivery of visitor services. To a large extent, quality service is dependent on the courtesy, appearance, and knowledge of front-line employees. Your commitment to quality human resources is an indicator of your potential for successfully providing services at the Park.

- 1) Describe what you believe constitutes a "high quality workforce" and explain how you will attract and maintain one.
- 2) Identify what efforts you will undertake to support high morale and to retain both year-round and seasonal employees at all levels within your organization. Please address benefits packages, incentives, counter-seasonal employment opportunities, recruitment and retention, and similar programs you will implement to prevent employee turnover.
- 3) Please outline the training you will provide to your staff in the areas of guest service and knowledge of the purpose and significance of the Park. Please identify the type of staff to be trained, training subjects, frequency of training, and how training will be documented.

Subfactor 3d: Violations, Fines, and Penalties

- 1) Has the Offeror, parent company or any of its principals, at any time in the last five years, whether as a principal or employee of Offeror or otherwise, received any Notice of Violations (NOVs), fines, and/or penalties exclusive from marine casualties, which are described below, from a federal or state regulatory agency? If the answer is yes, provide the following:
 - a) A description of the NOV, fine and/or penalty
 - b) When and who issued the NOV, fine and/or penalty
 - c) How you addressed the NOV, fine and/or penalty
 - d) How you will ensure that the problem does not recur

- 2) Demonstrate the Offeror's management of marine violations, accidents, and casualties that may occur in its operation, including but not limited to grounding, loss of primary propulsion, passengers required to transfer from one vessel to another vessel during a tour, collision, flooding, capsizing, fire, explosion, loss of life or reportable injury incurred or received for the period beginning five years prior to the submission of your proposal by:
 - a) the Offeror and any of its affiliate, parent, or predecessor companies/business entities;
 - b) the vessels you propose to use in this concession contract;
 - c) all vessel captains that will operate the vessels proposed for use in this concession contract.

For each incident, provide a copy of the official report, notice of violation, notification letter, fine and/or penalty received from the U.S. Coast Guard, the Occupational Safety and Health Administration, the Environmental Protection Agency, State specific Public Health Inspector, U.S. Public Health Service, NPS or other environmental or health regulatory agencies. If a copy of the official report is not available, explain why the report is not available, and fully explain the circumstances of the incident. For each incident, describe how the incident was addressed, and what corrective action, if any, was taken. If you have *not* experienced any such incidents, please expressly state in the proposal for each category (a-c) that you have not experienced any such incident.

PRINCIPAL SELECTION FACTOR 4. THE FINANCIAL CAPABILITY OF THE OFFEROR TO CARRY OUT ITS PROPOSAL. (0 – 5 Points)

General Notes:

- In the event the Offeror is not the legal entity that is to be the Concessioner, provide the information described below with respect to both the Offeror, including all partners in a joint venture, and the proposed Concessioner. If the entity that is to be the Concessioner is not formally in existence as of the time of submission of a proposal, a proposal must demonstrate that the individuals or organizations that intend to establish the entity that will become the Concessioner have the ability and are legally obliged to cause the entity to be financially and managerially capable of carrying out the terms of the Contract. In addition, the Offeror must unconditionally state and guarantee in the proposal that the Offeror will provide the Concessioner with all funding, management, and/or other resources that the proposal offers. This factor will be evaluated, in part, taking into consideration the financial capability of the offeror to conduct any services authorized and proposed by the offeror and any additional commitments made in the proposal. For purposes of evaluation, please include all of your assumptions regarding these additionally proposed services and financial projections within the format herein.

Subfactor 4a: Financial and Credit History

Demonstrate that you have a credible, proven track record of meeting your financial obligations by providing the following:

- 1) The completed Business History Information form provided at the end of this section.
- 2) Audited financial statements for the two most recent fiscal years, with all notes to the financial statements. Financial statements should be provided for the Offeror AND all parent companies. Personal financial statements must be provided for any owners of a sole proprietorship or general partners within a partnership. If the requested information is not available or not representative of your financial history, present an explanation in sufficient detail to enable a reviewer to fully understand the reasons why, and provide comparable evidence, accompanied by a description, of your financial track record.
- 3) A CURRENT credit report (within the last six months) from a major credit reporting company such as Equifax, Experian, or Dun & Bradstreet.

Subfactor 4b: Concession Financial Projections

Demonstrate that that you understand the financial obligations and benefits of the Draft Contract by providing the following:

- 1) Provide your estimate of the acquisition and start-up costs of this business using the Initial Investment and Start-Up Cost form (a sample of this form is located at the end of this section) included in the Excel spreadsheets provided in the Appendix to this Prospectus. Explain fully the methodology and the assumptions used to develop the estimate. The information provided should be of sufficient detail to allow a reviewer to fully understand how the estimates were determined.
- 2) Using the Excel spreadsheets provided in the Appendix to this Prospectus (samples of these forms are located at the end of this section), provide estimates of prospective revenues and expenses of the concession business in the form of annual prospective income and cash flow statements for the entire term of the Concession Contract.

Additional general notes regarding the provided forms in the attached appendix:

- The Service has provided forms that request the information in the format it desires. These forms may differ from the format and requirements set forth in generally accepted auditing standards (GAAS) with regard to prospective financial statements. The Service does NOT request that the prospective financial statements be reviewed in accordance with GAAS. In situations where the information requested departs from GAAS, the Service requests that the information be provided in the format requested and NOT in conformance with GAAS.
- You may expand on the information requested on the form, but do not provide less, do not reduce the captions (line-items) called for, and do not change the order of items.
- Do not add or eliminate rows on the Excel spreadsheets provided in the Appendix to this Prospectus. Columns should not be deleted; however, columns may be added to adjust the number of years to the Draft Contract term, if necessary. If you wish to provide additional information, do so in additional spreadsheets, outside of the ones provided. If additional information is provided, clearly identify how it fits into the income statement, cash flow, and/or assumption tables. For the purpose of the pro forma statements utilize the calendar year as the fiscal year.
- Provide a clear and concise narrative explanation of the method(s) used to prepare the estimates and the assumptions on which your projections are based. Information must be sufficiently detailed to fully understand how the estimates were determined.
- Complete all of the forms provided and submit both a hard copy and an Excel spreadsheet file. Failure to provide all of the information requested on these forms may result in a reduced score. Use the electronic version of the Operating Assumptions and Prospective Income Statement form provided in the appendix. The financial basis of any projections that show significantly increased revenues and/or decreased expenses from the projections provided in the Prospectus should be fully explained.

Subfactor 4c: Sources of Funds

Demonstrate your ability to obtain the required funds by providing credible, compelling documentation. Fully explain the financial arrangements you propose, using the following guidelines:

- A) If funds are to be obtained from operating cash flows, document each source and availability of these funds by referencing your previous and current audited financial statements.
- B) If funds are to be obtained from lending institutions (banks, savings and loans, etc.), provide financing agreements, letters of commitment or similar supporting documents. Also, include a letter (addressed to the National Park service from the Lender), which provides compelling documentation as to the likely amount of funds available to the offeror at the start of the Draft Contract. Include the lending institution contact name on the letter and authorize the lending institution to release any information to the National Park Service concerning relevant financing arrangements.
- C) If funds are to be obtained from an individual, or a corporation whose primary fund source is an individual, provide the following as appropriate:
 - i) Current personal financial statement for the primary source of funds.
 - ii) Documentation of any assets to be sold.
 - iii) Written funding commitment from the individual or corporation.
 - iv) Any other assurances or documentation that makes a compelling demonstration that the funds are available.
- D) If funds are to be obtained from working capital liabilities (such as advanced deposits or accounts payable), please provide an estimates and a rationale for each estimate. The information provided should be of sufficient detail to allow a reviewer to fully understand how the estimates were determined.
- E) If funds are to be obtained from another source (i.e., a corporation whose primary fund source is not an individual), provide the following as appropriate:
 - i) Written funding commitment from the fund source.
 - ii) Any other documentation that is necessary to create a compelling demonstration that the funds required to operate this business opportunity are available.

BUSINESS HISTORY INFORMATION
(PRINCIPAL SELECTION FACTOR 4 – SUBFACTOR 4A)

Business History Information should be provided for the Offeror AND all parent companies.

1. List any Foreclosures, Bankruptcies, Transfers in Lieu of Foreclosure and/or Work-Out/Loan Modification Transactions during the *past 10 years*. (If none, please indicate)

Name of Property	City State	Property Type	Approximate Loan Amount	Lender	Year of Event

Attach an explanation of circumstances, including resolution, bankruptcy plan, and/or other documentation as appropriate.

2. Describe any pending litigation or current lawsuits (other than those covered adequately by insurance) which if adversely resolved would materially impact the financial position of the Offeror.

PRINCIPAL SELECTION FACTOR 5. *THE AMOUNT OF THE FRANCHISE FEE, IF ANY, AND/OR OTHER FORMS OF FINANCIAL CONSIDERATION TO THE DIRECTOR* (0-4 Points)

The minimum franchise fee acceptable to the Service is eighteen percent (18.0%) of gross receipts.

The offer of a higher franchise fee than this minimum is generally beneficial to the Service and accordingly will generally result in a higher score under this selection factor. However, consideration of revenue to the United States will be subordinate to the objectives of protecting, conserving, and preserving resources of the park area and of providing necessary and appropriate visitor services to the public at reasonable rates.

Subfactor 5a: Franchise Fee

State the franchise fee that you propose. Such fee must at least equal the minimum franchise fee set forth above. Express this fee as a percentage of annual gross receipts. Do not propose a franchise fee percentage that changes by the level of gross receipts or by year of contract.

_____ percent of annual gross receipts

SECONDARY SELECTION FACTORS

SECONDARY SELECTION FACTOR 1. *THE QUALITY OF THE OFFEROR'S PROPOSAL TO CONDUCT ITS OPERATIONS IN A MANNER THAT FURTHERS THE PROTECTION, CONSERVATION AND PRESERVATION OF THE PARK AREA AND OTHER RESOURCES THROUGH ENVIRONMENTAL MANAGEMENT PROGRAMS AND ACTIVITIES, INCLUDING, WITHOUT LIMITATION, ENERGY CONSERVATION, WASTE REDUCTION, AND RECYCLING.* (0-3 points)

Note to Offeror: This secondary selection factor focuses on environmental management programs and activities that promote general environmental objectives such as waste reduction, fuel efficiency, recycling, etc. Please avoid overlap between your response here and your response to Principal Selection Factor 1.

Minimizing solid waste generation is an important environmental management goal of the Park.

Subfactor 1a: Solid Waste Generation and Disposal

Please describe any additional efforts beyond compliance with all Applicable Laws that you will take to minimize solid waste generation including, but not limited to, a reduction of the amount of solid waste through efforts such as minimizing the amount of waste to be disposed of, reuse and composting activities.

Describe what environmentally preferable products and other means you will use to minimize the amount of solid waste generated during production or manufacturing, packaging and distribution, use, or disposal of the product as compared with a competing product that serves the same purpose. Be sure to describe why the product is environmentally preferable (i.e., how it has a lesser or reduced effect on human health and the environment when compared with competing products that serve the same purpose).

Subfactor 1b: Recycling

Describe the items you will recycle and procedures for recycling those materials including, but not limited to, how you will collect and dispose of specific recyclable materials. The Draft Contract identifies some materials that are required to be recycled, but you are encouraged to propose recycling more materials.

SECONDARY SELECTION FACTOR 2. ISLAND CRUISE SERVICE (0-2 points)

The Draft Contract requires the next Concessioner to provide a Statue of Liberty/Ellis Island Cruise, departing from and returning to an NPS-approved location in, near, adjoining, or in proximity to Battery Park in New York City. The Cruise is an additional service and alternative for Park visitors that will provide close-up views of the Statue of Liberty and Ellis Island from off-shore and offer an NPS-approved interpretive program. This service will provide an informative and inspirational experience for visitors, highlighting the Park and its resources and stories. Minimum requirements for this service are outlined in the Draft Contract, Exhibit A, Operating Plan. The Concessioner will provide this service to visitors for the same fare as the required ferry services.

The NPS objective for this service is to provide Park visitors with a wider variety of opportunities to experience the Park by offering:

- An alternative to riding the primary ferry boats when peak operations in Manhattan might otherwise discourage visitation.
- An alternative experience when the maximum number of ferry tickets have been sold and screening and boarding capacity limits have been reached.
- An interpretive experience when the islands are closed.

Fleet Management

In accordance with the terms of the Existing Contract, the seven boats utilized in the current operation will be transferred to the Concessioner awarded the next contract. Under the Draft Contract, six boats are required to provide the primary service, passenger transportation to and from the Park. The priority use of the boats is to ensure adequate ferry transportation to, from, and between Liberty and Ellis Islands at all times. The seventh boat is often needed to assist during peak operations. The seventh boat will be available for the Island Cruise unless needed: 1) to assist with transporting visitors from the islands in the afternoon, 2) in an emergency evacuation of the islands, 3) to substitute for a vessel undergoing service, or 4) to accommodate increased ferry demand in the future.

Describe how you will manage or supplement the current inventory of boats to accommodate the Island Cruise, addressing:

- 1) How you will schedule boats and staff to ensure availability of both the primary ferry services and the Island Cruise service for your proposed season of operation (i.e., during the minimum period required in the Operating Plan or on a year-round basis). Also, describe any additional hours of operation you propose to offer the Island cruise service beyond the required minimum hours.

- 2) If you propose to use only the existing inventory of seven boats, explain how you will schedule and transition the seventh boat between the Island Cruise and primary ferry services accounting for the required security screening of all boats.
- 3) If your proposal includes supplementing the existing fleet of boats, please provide information on any proposed vessel's passenger capacity, engine specifications, USCG captain license requirements, special features and services that will be offered on board, and if available, age, name, and USCG registration number. A better answer may demonstrate the features of such additional boats that meet the objectives of the Park described in Principal Selection Factor 1b.

SECONDARY SELECTION FACTOR 3. *ADDITIONAL FERRY ROUTES* (0-1 point)

The Draft Contract authorizes (subject to the Superintendent's approval) the next Concessioner to offer ferry services to other NPS units in and around New York Harbor, including, but not limited to, Governors Island and Gateway National Recreation Area. Potential destinations include Governors Island, Sandy Hook, Fort Wadsworth, and Riis Landing. The NPS would like to expand access to these other NPS units with water transportation routes that are more convenient than existing land-based transportation. A map of these locations is included in Appendix O.

Limited market data exists relative to the demand for ferry services to most of these destinations. Due to seasonality and the nature of recreational activity at the sites, some routes may only be financially feasible when they are a part of other existing similar operations. Due to the long distances between departure points and the Gateway National Recreation Area destinations, ferries much faster than the Statue of Liberty and Ellis Island ferry boats may be required.

Please describe the processes you would use to make a determination on whether to initiate service from Battery Park, Liberty State Park, or other locations to any or all of these destinations and how you would implement a decision to proceed. Your response should include, at a minimum, the following for each destination listed above:

- 1) Assessment of market potential.
- 2) Design, development and implementation of services (i.e., schedule and types of boats and docking and embarkation requirements).
- 3) Marketing the service to target audiences developed when assessing market potential.
- 4) Working in consultation with the Service to implement these new routes.
- 5) Determine appropriate assets and vessels (now owned or which will be acquired for the operation) to use for service to these areas.